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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/528,907

03/23/2005

Jago Pridie

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9020

24113

7590

09/17/2009

PATTERSON, THUENTE, SKAAR & CHRISTENSEN, P.A.

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EXAMINER

LEE, EDMUND H

ART UNIT

PAPER NUMBER

1791

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/528,907	<b>Applicant(s)</b> PRIDIE, JAGO	
	<b>Examiner</b> EDMUND H. LEE	<b>Art Unit</b> 1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 26-40 and 45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-40 and 45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/6/05</u> .  | 6) <input type="checkbox"/> Other: _____                          |

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### DETAILED ACTION

1. Claim 37 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "said aperture" lacks antecedent basis in the claim.

Correction is required.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 26,27,28,31,32,34, 38 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 01/19936. WO 01/19936 teaches the claimed process as evidenced by pg 5, lns 22-25, pg 9, lns 8-10, and figs 1-6. It should be noted that sealing webs 18 and 20 constitute the claimed barrier, which is part of the molding tool.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 29,30,33,35,36,37, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/19936. The above teachings of WO 01/19936 are incorporated hereinafter. In regard to claims 29 and 30, such is well-known in the

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molding art as an effective means for holding a preform or a film. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a pressure difference such as a vacuum to hold the webs of WO 01/19936 against the components of WO 01/19936 in order to ensure precision. In regard to claim 33, such is well-known in the molding art in order to increase and reduce adhesion of a molding material against a preform. See US class 264, subclass 265. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to condition the component to improve its adhesion to the molding material, and to reduce its adhesion to the web of WO 01/19936 in order to facilitate molding. In regard to claim 35, such is well-known in the molding art in order to control suction of the molding material. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a filter into the outlet of WO 01/19936 in order to enable better control of the suction. In regard to claim 36, the specific design of a preform is a mere obvious matter of choice dependent on the desired final product and of little patentable consequence to the claimed process since it is not a manipulative feature or step of the claimed process. Further, the claimed design is well-known in the aircraft art. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an aperture in the component of WO 01/19936 in order to reduce molding complexity. In regard to claim 37, such is well-known in the molding art to feed a molding material via an aperture and then reopen the aperture after curing in order to form a functional opening. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to feed the material of

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WO 01/19936 through an aperture and then remachine the aperture in order to form a functional opening. In regard to claim 39, the specific design of a preform is a mere obvious matter of choice dependent on the desired final product and of little patentable consequence to the claimed process since it is not a manipulative feature or step of the claimed process. Further, the claimed composite components are well-known in the aircraft art. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a composite component in the process of WO 01/19936 in order to produce diverse products.

6. Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/19936 in view of the admitted prior art set forth on pages 1-2 of the instant specification. WO 01/19936 teaches all of the claimed limitations (pg 5, lns 22-25, pg 9, lns 8-10, and figs 1-6) except using composite components. It should be noted that sealing webs 18 and 20 of WO 01/19936 constitute the claimed barrier, which is part of the molding tool. The admitted prior art teaches forming shims between composite aircraft components. WO 01/19936 and the admitted prior art are combinable because they are analogous with respect to forming shims between aircraft components. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use composite aircraft components in the process of WO 01/19936 in order to form diverse joined aircraft components.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is

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571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY  
FROM 9AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571.272.1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EDMUND H. LEE  
Primary Examiner  
Art Unit 1791

EHL

/EDMUND H. LEE/  
Primary Examiner, Art Unit 1791